

acquire, by donation, purchase with donated or appropriated funds, or by exchange, lands or interests therein within the area generally depicted as “Proposed Park Additions” on the map entitled “Proposed Park Additions, Rocky Mountain National Park”, numbered 121–80, 106–A and dated May, 1989, which map shall be on file and available for public inspection in the Office of the National Park Service, Department of the Interior. Upon acquisition of such lands, the Secretary shall revise the boundary of Rocky Mountain National Park to include such lands within the park boundary and shall administer such lands as part of the park subject to the laws and regulations applicable thereto.

(b) Boundary adjustment for Roosevelt National Forest

Upon acquisition of such lands by the Secretary, the Secretary of Agriculture shall revise the boundary of the Roosevelt National Forest to exclude such lands from the national forest boundary.

(c) Agreement

The Secretary is authorized to enter into an agreement with the owner of the lands identified as Tract 1127 and 1127B4, Section 23, Township 3 North, Range 73, Boulder County, Colorado, within the boundaries of Rocky Mountain National Park, to ensure the right of use as a single family residence, unless said property is being developed or is officially proposed to be developed by the owners in a manner which would substantially change its use.

(Pub. L. 101–192, §1, Nov. 29, 1989, 103 Stat. 1700.)

§ 192c. Vested rights

Nothing contained in this section and section 192b of this title shall affect any vested and accrued rights of ownership of lands or any valid existing claim, location, or entry existing under the land laws of the United States on June 21, 1930, whether for homestead, mineral, rights-of-way, or any other purposes whatsoever, or any water rights and/or rights-of-way connected therewith, including reservoirs, conduits, and ditches, as may be recognized by local customs, laws, and decisions of courts, or shall affect the right of any such owner, claimant, locator, or entryman to the full use and enjoyment of his land.

(June 21, 1930, ch. 561, §2, 46 Stat. 792.)

§ 193. Claims and rights under land laws not affected; rights-of-way for irrigation and other purposes

Nothing herein contained shall affect any valid existing claim, location, or entry under the land laws of the United States, whether for homestead, mineral, right of way, or any other purpose whatsoever, or shall affect the rights of any such claimant, locator, or entryman to the full use and enjoyment of his land. Whenever consistent with the primary purposes of the park the Act of February fifteenth, nineteen hundred and one,¹ applicable to the location of rights of way in certain national parks and the

national forests for irrigation and other purposes, shall be and remain applicable to the lands included within the park.

(Jan. 26, 1915, ch. 19, §2, 38 Stat. 800; Jan. 26, 1931, ch. 47, §7, 46 Stat. 1044.)

REFERENCES IN TEXT

Herein, referred to in text, means act Jan. 26, 1915, which is classified to sections 191 and 193 to 195a of this title. For complete classification of this Act to the Code, see Tables.

The Act of February fifteenth, nineteen hundred and one, referred to in text, is act Feb. 15, 1901, ch. 372, 31 Stat. 790, which is classified to section 959 of Title 43, Public Lands. The Act, insofar as it related to National Park System units, was repealed and restated as section 100902(a) of Title 54, National Park Service and Related Programs, by Pub. L. 113–287, §§3, 7, Dec. 19, 2014, 128 Stat. 3094, 3272.

AMENDMENTS

1931—Act Jan. 26, 1931, repealed provision which authorized granting of easements or rights of way for steam, electric, or similar transportation upon or across the park.

§ 194. Lands held in private, municipal, or State ownership not affected

No lands located within the park boundaries held in private, municipal, or State ownership on January 26, 1915, shall be affected by or subject to the provisions of sections 191, 193, 195, and 195a of this title.

(Jan. 26, 1915, ch. 19, §3, 38 Stat. 800.)

§ 195. Control; regulations; leases; sale and removal of timber

Rocky Mountain National Park shall be under the executive control of the Secretary of the Interior, and it shall be the duty of the said executive authority, as soon as practicable, to make and publish such reasonable rules and regulations, not inconsistent with the laws of the United States, as the said authority may deem necessary or proper for the care, protection, management, and improvement of the same, the said regulations being primarily aimed at the freest use of the said park for recreation purposes by the public and for the preservation of the natural conditions and scenic beauties thereof. The said authority may, in his discretion, execute leases to parcels of ground not exceeding twenty acres in extent in any one place to any person or company for not to exceed twenty years whenever such ground is necessary for the erection of establishments for the accommodation of visitors, may grant such other necessary privileges and concessions as he deems wise for the accommodation of visitors, and may likewise arrange for the removal of such mature or dead or down timber as he may deem necessary and advisable for the protection and improvement of the park. The regulations governing the park shall include provisions for the use of automobiles therein:¹ The Secretary of the Interior is authorized to accept patented lands or rights of way over patented lands in the

¹ See References in Text note below.

¹ So in original.

Rocky Mountain National Park that may be donated for park purposes.

(Jan. 26, 1915, ch. 19, §4, 38 Stat. 800; June 12, 1917, ch. 27, §1, 40 Stat. 152; Mar. 1, 1919, ch. 88, 40 Stat. 1270.)

CODIFICATION

Section, with the exception of the last sentence, was from section 4 of act Jan. 26, 1915.

The last sentence was from section 1 of act June 12, 1917.

AMENDMENTS

1919—Act Mar. 1, 1919, ch. 88, struck out “*Provided*, That no appropriation for the maintenance, supervision, or improvement of said park in excess of \$10,000 annually shall be made unless the same shall have first been expressly authorized by law” after “automobiles therein:”.

OBLIGATION OF FEES FOR TRANSPORTATION SERVICES AT ZION OR ROCKY MOUNTAIN NATIONAL PARKS

Pub. L. 108-7, div. F, title I, §140, Feb. 20, 2003, 117 Stat. 244, provided that: “In fiscal year 2003 and each fiscal year thereafter, notwithstanding any other provision of law, with respect to a service contract for the provision solely of transportation services at Zion National Park or Rocky Mountain National Park, the Secretary of the Interior may obligate the expenditure of fees expected to be received in that fiscal year before the fees are received, so long as total obligations do not exceed fee collections retained at Zion National Park or Rocky Mountain National Park, respectively, by the end of that fiscal year.”

EXPENDITURE OF FUNDS OUTSIDE AUTHORIZED BOUNDARY OF ROCKY MOUNTAIN NATIONAL PARK

Pub. L. 104-333, div. I, title VIII, §810, Nov. 12, 1996, 110 Stat. 4189, provided that: “The Secretary of the Interior is authorized to collect and expend donated funds and expend appropriated funds for the operation and maintenance of a visitor center to be constructed for visitors to and administration of Rocky Mountain National Park with private funds on privately owned lands located outside the boundary of the park.”

§ 195a. North St. Vrain Creek and adjacent lands

Neither the Secretary of the Interior nor any other Federal agency or officer may approve or issue any permit for, or provide any assistance for, the construction of any new dam, reservoir, or impoundment on any segment of North St. Vrain Creek or its tributaries within the boundaries of Rocky Mountain National Park or on the main stem of North St. Vrain Creek downstream to the point at which the creek crosses the elevation 6,550 feet above mean sea level. Nothing in this section shall be construed to prevent the issuance of any permit for the construction of a new water gauging station on North St. Vrain Creek at the point of its confluence with Coulson Gulch.

(Jan. 26, 1915, ch. 19, §5, as added Pub. L. 104-333, div. I, title IV, §408(a), Nov. 12, 1996, 110 Stat. 4153.)

§ 196. Use for Arbutle Reservoir

The Secretary of the Interior is authorized in his discretion to permit, by license, lease, or other authorization, the use of necessary land in the Rocky Mountain National Park for the maintenance and operation in its present height and capacity, of the Arbutle Number 2 Reservoir.

(June 9, 1926, ch. 515, §2, 44 Stat. 714.)

§ 197. Applicability of other laws

The provisions of the Act of January 26, 1915, entitled “An Act to establish the Rocky Mountain National Park in the State of Colorado, and for other purposes,” and Act of August 25, 1916, entitled “An Act to establish a national-park service, and for other purposes,”¹ and all Acts supplementary to and amendatory of said Acts are made applicable to and extended over the lands hereby added to the park: *Provided*, That the provisions of the Federal Power Act [16 U.S.C. 791a et seq.] shall not apply to or extend over such lands.

(June 9, 1926, ch. 515, §3, 44 Stat. 714.)

REFERENCES IN TEXT

The Act of January 26, 1915, entitled “An Act to establish the Rocky Mountain National Park in the State of Colorado, and for other purposes,” referred to in text, is act Jan. 26, 1915, ch. 19, 38 Stat. 798, which enacted sections 191 and 193 to 195a of this title. For complete classification of this Act to the Code, see Tables.

The Act of August 25, 1916, entitled “An Act to establish a national-park service, and for other purposes”, referred to in text, is act Aug. 25, 1916, ch. 408, 39 Stat. 535, known as the National Park Service Organic Act, which enacted sections 1, 2, 3, and 4 of this title and provisions set out as a note under section 100101 of Title 54, National Park Service and Related Programs. Sections 1 to 4 of the Act were repealed and restated as section 1865(a) of Title 18, Crimes and Criminal Procedure, and section 100101(a), chapter 1003, and sections 100751(a), 100752, 100753, and 102101 of Title 54 by Pub. L. 113-287, §§3, 4(a)(1), 7, Dec. 19, 2014, 128 Stat. 3094, 3260, 3272. For complete classification of this Act to the Code, see Tables. For disposition of former sections of this title, see Disposition Table preceding section 100101 of Title 54.

Hereby, referred to in text, means by act June 9, 1926, which is classified to sections 192a, 196, and 197 of this title.

The Federal Power Act, referred to in text, was in the original the “Act of June 10, 1920, entitled ‘an Act to create a Federal power commission; to provide for the improvement of navigation, the development of water power; the use of the public lands in relation thereto; and to repeal section 18 of the River and Harbor Appropriation Act, approved August 8, 1917, and for other purposes’”, and was redesignated the Federal Power Act by section 791a of this title. The Federal Power Act is act June 10, 1920, ch. 285, 41 Stat. 1063, as amended, and is classified generally to chapter 12 (§791a et seq.) of this title. For complete classification of this Act to the Code, see section 791a of this title and Tables.

§ 198. Exclusive jurisdiction; assumption by United States; saving provisions

The provisions of the act of the Legislature of the State of Colorado, approved February 19, 1929, ceding to the United States exclusive jurisdiction over the territory embraced and included within the Rocky Mountain National Park, are accepted, and sole and exclusive jurisdiction is assumed by the United States over such territory, saving, however, to the State of Colorado the right to serve civil or criminal process within the limits of the aforesaid park in suits or prosecutions for or on account of rights acquired, obligations incurred, or crimes committed outside of said park; and saving fur-

¹ See References in Text note below.